

REMARKS

Responsive to the Office Action mailed January 10, 2008, Applicant provides the following. Claims 1-2, 5-8 and 11-13 have been amended without adding new matter. Claims 4 and 10 have been canceled without prejudice. Eleven (11) claims remain pending in the application: Claims 1-3, 5-9 and 11-13. Reconsideration of claims 1-3, 5-9 and 11-13 in view of the amendments above and remarks below is respectfully requested.

Applicant acknowledges with appreciation the Examiner's indication that claims 4-6 and 10-12 would be allowable if rewritten in independent form.

By way of this amendment, Applicant has made a diligent effort to place the claims in condition for allowance. However, should there remain any outstanding issues that require adverse action, it is respectfully requested that the Examiner telephone the undersigned at (949) 932-3181 so that such issues may be resolved as expeditiously as possible.

Allowable Subject Matter

1. Claims 4-6 and 10-12 stand objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form. Elements and limitations of claim 4 have been amended into independent claim 1 and elements and limitations of claim 10 have been amended into independent claims 7 and 13. Thus, claims 4 and 10 have been rewritten in independent form. Claims 4 and 10 have been canceled without prejudice.

Regarding claims 5-6 and 11-12, they have been amended to depend from claims 1 and 7, respectively, which have been amended to include the elements of claims 4 and 10, respectively. Thus, it is respectfully submitted that the objection of claims 4-6 and 10-12 is overcome and should be withdrawn.

Claim Rejections - 35 U.S.C. §101

2. Claim 13 stands rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. Claim 13 has been amended to recite that the

program resides on a computer-readable medium. Therefore, it is respectfully submitted that the rejection of claim 13 is overcome and should be withdrawn.

Claim Rejections - 35 U.S.C. §102

3. Claims 1-3, 7-9 and 13 stand rejected under 35 U.S.C. §102(e), as being anticipated by U.S. Patent No. 6,498,912 (Leni et al.).

As noted above, independent claim 1 and independent claims 7 and 13 have been amended to include elements and limitations of claims 4 and 10, respectively. The Examiner has indicated that Leni does not teach all of the elements and/or limitations of claim 4 or claim 10.

MPEP 2131 states “[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” Because Leni does not teach at least all of the elements and limitations of either claim 4 or claim 10, which have been amended into each of the independent claims, it is respectfully submitted that the rejection of claims 1, 7 and 13 is overcome and should be withdrawn. Claims 2-3 and 5-6 and claims 8-9 and 11-12 are dependent from claims 1 and 7, respectively. Thus, it is respectfully submitted that the rejection of claims 2-3 and 8-9 is overcome and should be withdrawn at least due to their dependency on claims 1 and 7, respectively.

CONCLUSION

Applicant respectfully submits that all of the claims pending in the application meet the requirements for patentability and respectfully requests that the Examiner indicate the allowance of such claims.

Any amendments to the claims which have been made in this response which have not been specifically noted to overcome a rejection based upon prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

If any additional fee is required, please charge Deposit Account Number 502456.

Should the Examiner have any questions, the Examiner may contact Applicant's representative at the telephone number below.

Respectfully submitted,

April 9, 2008

Date

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